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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,700	01/02/2002	Uwe Hansmann	DE920000104US1/2289P	7582
7590 SAWYER LAW GROUP P.O. Box 51418 Palo Alto, CA 94303				
05/12/2011				
EXAMINER				
AL HASHEMI, SANA A				
ART UNIT		PAPER NUMBER		
2156				
MAIL DATE		DELIVERY MODE		
05/12/2011		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/037,700

**Applicant(s)**

HANSMANN ET AL.

**Examiner**

Sana Al-Hashemi

**Art Unit**

2156

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 44-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 44-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-912)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/2/2002
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is issued in response to amendment filed 3/10/2011.

Claims 1-43 were canceled. Claims 44-51 were added.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 44-51, are rejected under 35 USC 102(e) as being anticipated by Bauer et al.  
(Bauer hereinafter) US Patent No. 5,870,759 filed Oct. 9, 1999 and issued Feb. 9, 1999.

Regarding Claims 44, and 49, Bauer discloses a method for synchronizing data records stored on a server system with data records stored on a client system (Col. 1, lines 53-56, Bauer), comprising the steps of:

receiving a changed data record from the client system (Col. 2, lines 9-11, Bauer);

interpreting the received changed data record based on a client specific setup information, wherein the client specific setup information comprises information to enable the server system to identify the client system, to identify where to find information the server system needs for synchronization and to provide at least one client specific command for the client system (Col. 2,

lines 1-14, wherein the limited data related to respective client corresponds to specific setup information, Bauer);

updating a server database with the received changed data record (Col. 2, lines 11-14, Bauer); and

transmitting to the client a program comprising at least one client specific command, wherein when the program executed by the client system, data synchronization occurs (Col. 2, lines 55-59, Bauer).

Regarding Claims 45, and 50, Bauer discloses a method wherein the client specific setup information further describes a format of the data record stored in the client system (Col. 3, lines 3-9, Bauer).

Regarding Claims 46, and 51, Bauer discloses a method wherein the client system is one of a mobile phone, a handheld computer, and a personal digital assistant (Col. 1, lines 16-20, wherein the portable computer corresponds to the handheld computer, Bauer).

Regarding Claim 47, Bauer discloses a method for synchronizing data records stored on a client system with data records stored on a server system, comprising the steps of:

identifying a changed data record in the client system (Col. 3, lines 21-26, Bauer);

transmitting the changed data record to the server system (Col. 2, lines 55-59, Bauer);

receiving a program comprising at least one client specific command, wherein the program is generated and transmitted by the server system based on a client specific setup information and the transmitted changed data record, wherein the client specific setup information comprises information to enable the server system to identify the client system, to

identify where to find information the server system needs for synchronization and to provide at least one client specific command for the client system (Col. 3, lines 40-48, Bauer); and  
executing the program for synchronization (Col. 3, lines 53-59, Bauer).

Regarding Claim 48, Bauer discloses a method wherein receiving further comprises receiving a compiled program comprising object code executable by the client system for synchronization (Col. 26, lines 43-47, Bauer).

### ***Response to Arguments***

Applicant's arguments filed 3/10/2011 have been fully considered but they are not persuasive.

Applicant argue the applied art fail to disclose "wherein the client specific setup information comprises information ... to provide at least one client specific command for the client system".

Examiner disagrees. Col. 2, lines 1-14, Col. 3, lines 14-27, and Col. 7, lines 40-53, discloses the argued limitations wherein the "limited data related to the respective client corresponds to the specific setup information and the client determines what modification detected at the creation of the new data item corresponds to the comprises information to enable the server system to identify the client system, to identify where to find information the server system needs for synchronization and to provide at least one client specific command for the client system, and wherein the programming command corresponds to the client specific command.

Applicant argues the applied art fail to disclose transmit an executable program comprising at least one client specific command for the client system to synchronize the data records.

Examiner disagrees. Col. 2, lines 60-67, discloses a server determines refresh data and transmits to the client, and Col. 11, lines 37-44, discloses the transmit an executable program comprising at least one client specific command for the client system to synchronize the data records.

Applicant argues the applied art fail to disclose the three types of information as recited by the claims ( information to enable the server system to identify the client system, to identify where to find the information the server needs to synchronization and to provide at least one client specific command to the client).

Examiner disagrees. the applied art disclose the three types of information claimed, the claimed information to enable the server system to identify the client system is disclosed (Col. 9, lines 36-40; to identify where to find the information the server needs to synchronization, the applied art at Col. 9, lines 41-47 discloses the identified row which has been added by the client and need to be synchronized; and provide at least one client specific command to the client, the applied art at Col. 2, lines 60-67, discloses a server determines refresh data and transmits to the client, and Col. 11, lines 37-44, discloses the transmit an executable program comprising at least one client specific command for the client system to synchronize the data records.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Point of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013. The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre Vital can be reached on 571-272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sana Al-Hashemi/  
Primary Examiner, Art Unit 2156  
May 9, 2011